

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF OREGON  
PORTLAND DIVISION

COLUMBIA STATE BANK, a  
Washington stock savings  
bank,

10-CV-769-BR

ORDER

Plaintiff,

v.

DINDIA INVESTMENTS LLC, an  
Oregon limited liability  
company; GERALD P. DINDIA;  
MARK G. DINDIA; PATRICIA L.  
DINDIA; MATTHEW D. DINDIA;  
DONALD DINDIA; and SPUR  
INVESTMENTS, LLC, an Oregon  
limited liability company;

Defendants.

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**BROWN, Judge.**

This matter comes before the Court on Plaintiff Columbia  
State Bank's Motion (#27) for Summary Judgment Against All  
Defendants on All Claims, Defenses, and Counterclaims.

On January 5, 2011, each Defendant withdrew their common

Second Affirmative Defense of Waiver.

On January 18, 2011, Plaintiff filed its Motion for Summary Judgment as to each of its claims against all Defendants, against the remaining two Affirmative Defenses asserted by all Defendants, and against each Defendant's asserted right to attorneys' fees and costs (referred to as Counterclaims by Plaintiff). On February 15, 2011, the Court signed a Stipulated Judgment (#32) against Dindia Investments, LLC. The remaining Defendants did not file a response to Plaintiff's Motion for Summary Judgment.

The Court has reviewed Plaintiff's Motion for Summary Judgment together with the supporting Memorandum and the Declarations in support of the Motion. Because Defendants did not respond to Plaintiff's Motion, the Court treats as undisputed all of the factual assertions Plaintiff has established in its moving papers. Based on these undisputed facts and for all of the reasons Plaintiff asserts in its Memorandum, the Court concludes Plaintiff is entitled to summary judgment as a matter of law as to each of its claims against the remaining Defendants, as to Defendants' remaining two Affirmative Defenses, and as to Defendants' Counterclaims for attorneys' fees and costs.

#### **CONCLUSION**

For these reasons, the Court **GRANTS** Plaintiff's Motion (#27)

for Summary Judgment Against All [remaining] Defendants on All Claims, Defenses, and Counterclaims, and **directs** Plaintiff's counsel to submit an appropriate form of Judgment by March 4, 2011.

IT IS SO ORDERED.

DATED this 25th day of February, 2011.

/s/ Anna J. Brown

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ANNA J. BROWN  
United States District Judge